

Faculty Biographies

Albany



State of New York
Supreme Court, Appellate Division
Third Judicial Department
Mental Hygiene Legal Service
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Sheila E. Shea
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Principal Attorney



JULIE B. FRIEDMAN, Principal Attorney
Mental Hygiene Legal Service
Appellate Division Third Department

Julie earned her Bachelor of Science at Cornell University's School of Industrial and Labor Relations and her Juris Doctor at Cornell Law School.

Since 1999 Ms. Friedman has been an attorney with the Albany regional office of Mental Hygiene Legal Service (MHLS), a division of the New York State Appellate Division, Third Judicial Department. MHLS provides legal representation for individuals who receive or are in need of services for mental illness or developmental disabilities, including individuals in psychiatric hospitals, community residences and other facilities serving the disabled. MHLS also frequently serves as appointed counsel or court evaluator in guardianship matters pursuant to MHL §81, regardless of they type of impairment and serves as counsel or guardian ad litem in guardianships pursuant to SCPA §17a.

Prior to joining MHLS, Ms. Friedman was a staff attorney at the Albany Law School Disabilities Law Clinic, focusing on special education law. Ms. Friedman also represented adults and children with mental and physical disabilities in a variety of civil matters as an attorney with Legal Aid in Binghamton, New York from 1993 - 1997.

Lisa M. Buccini, Esq., is Principal Court Attorney to the Honorable Paul V. Morgan, Jr., Surrogate's Court Judge of Rensselaer County, Acting Rensselaer County Court Judge and Family Court Judge and Acting New York State Supreme Court Justice, having jurisdiction over all Mental Hygiene Law Article 81 Proceedings in the counties of Albany, Rensselaer, Greene, Schoharie and Columbia. Lisa previously served as Principal Court Attorney, Albany County Surrogate's Court and Principal Appellate Court Attorney, Supreme Court, Appellate Division, Third Judicial Department.



Aaron F. Carbone, Esq.
Vella, Carbone & Associates, LLP
Delmar, NY

Aaron is a founding partner of Vella, Carbone and Associates, LLP. He graduated *Cum Laude* from Albany Law School and has earned numerous honors both in school and in practice. He has been a litigator his entire career with specialties in medical professional defense, estate litigation and guardianship/special needs practice. Clients seek Aaron's counsel not only for his litigation expertise, but also for his in- depth understanding of estate planning and guardianship/special needs law.

Typical matters Aaron assists his clients with include asset protection, estate planning, Medicaid planning and applications, estate administration, and defending against objections to probate and accounting. He has also worked with families to help establish special needs trusts, guardianships for people and property and assisting those with special needs from infirmity or disability receive the necessary protections under law.

Aaron is sought out not only for his experience and expertise, but also his empathy in these sensitive areas of law. Coupled with his strong determination and ability Aaron has established a successful client-centric practice. Outside of practicing law, Aaron is an avid runner and cook and he loves spending time with his wife Erica, and their two young children.

JENNIFER J. CORCORAN

As a Partner at Tully Rinckey, with over twenty years of experience, Jennifer's practice focuses primarily on trusts and estates/elder law, real estate and matrimonial/family law. Jennifer is the former Deputy Chief Clerk of the Albany County Surrogate's Court. She is a frequent speaker at various bar associations conferences and seminars on topics such as Article 81 guardianships, estate and trust administration and advance directives. She has conducted training sessions required by the Office of Court Administration for Guardians, Court Evaluators and Court Appointed Counsel through the Albany County Bar Association. Jennifer is a member of the New York State Bar Association (Elder Law, Family Law and Trusts and Estate Sections), Capital District Women's Bar Association and Albany County Bar Association.

Jennifer has provided pro bono legal services through the Legal Project and Pro Se Divorce Clinic in Schenectady. She was recognized as Empire State Counsel by the New York State Bar Association for providing in excess of 50 hours of pro bono legal services in a year.

Jennifer is currently a member of the Board of the Capital District chapter of the American Heart Association and parent leader of the Cardiac Kids support group. She was a member of the Board of Trustees for the Make-A-Wish Foundation of Northeast New York for 12 years, and served as both a "Wish Granter" and as a member of the Corporates Documents Committee for the Make-A-Wish Foundation of America.

She lives in Delmar with her husband Tim, son Aedan and dogs Bailey and Vallie.



Hon. Paul V. Morgan
Rensselaer County Surrogates Court
Troy, NY

Honorable Paul V. Morgan Jr. is the Surrogate's Court Judge of Rensselaer County and previously served as Chief Clerk of that Court for more than 17 years. He also serves as an Acting Rensselaer County Court Judge and Family Court Judge and an Acting New York State Supreme Court Justice, having exclusive jurisdiction over all Mental Hygiene Law Article 81 Proceedings in the counties of Albany, Rensselaer, Greene, Schoharie and Columbia, the northern counties of the Third Judicial District. He is an adjunct professor at Albany Law School where he conducts courses in Surrogate's Court Procedure. He is a frequent lecturer at meetings of various organizations including the New York State and local bar associations.



Anthony Rossi, Esq.
New York Unified Court System
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Assistant Deputy Counsel

Anthony Rossi joined the New York State Unified Court System in 2006, currently serves as Assistant Deputy Counsel to the Deputy Chief Administrative Judge for Courts outside New York City, the Hon. Michael V. Cocco. Anthony is a former Assistant District Attorney with New York County District Attorney's Office. In addition, he has served as an Adjunct Professor at the College of Saint Rose, teaching Criminal Law, Evidence, Trial Practice and Criminal Procedure classes. Anthony received a B.S. in Business Administration from The College of Saint Rose, a M.S. in Public Administration from Sage Graduate School and his J.D. from Albany Law School of Union University.

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SALLY M. DONAHUE

Sally M. Donahue is a partner at Jaspan Schlesinger LLP in the Trusts and Estates practice group. Ms. Donahue concentrates in Surrogate's Court litigation, including trials and appeals. She also handles estate planning and administration, and guardianships.

Ms. Donahue was a Court Attorney-Referee at the Nassau County Surrogate's Court from 2006 to 2011. She practiced for many years at two prestigious law firms on Long Island in the areas of trusts and estates, guardianships and commercial litigation. After graduating from law school, Ms. Donahue was a Law Clerk for a Federal District Judge and for a Federal Magistrate Judge in the Eastern District of New York. Ms. Donahue taught Legal Ethics for six years at Adelphi University's Lawyers' Assistant Program.

In 1990, Ms. Donahue received her Juris Doctorate, *magna cum laude*, from Touro Law Center, where she was a Dean's Fellow, entitling her to a full academic scholarship. Ms. Donahue was a member of the Law Review and served as a Notes and Comments Editor. Her article, "Copyrightability of Useful Articles: The Second Circuit's Resistance to Conceptual Separability," was published in the Law Review. While in law school, Ms. Donahue won the American Society of Composers, Authors and Publishers' Nathan Burkan Memorial Competition, as well as five American Jurisprudence Awards. She received her Bachelor of Arts degree, *summa cum laude*, from Adelphi University in 1986.

Ms. Donahue is a member of and former Co-Chair of the Nassau County Bar Association Surrogate's Court Estates and Trusts Committee and a member of the Nassau County Bar Association Nominating Committee. Ms. Donahue is a member of the Touro Law Center Alumni Executive Board and the Touro Law Center Dean's Advisory Board.

Ms. Donahue has lectured at, moderated and co-chaired Continuing Education Programs for the New York State Bar Association and the Nassau County Bar Association. She was a Co-Chair of the 2014 New York State Bar Association Trusts and Estates Section Annual Meeting entitled, "Til' Death Do us Part: Updates on Marriage, Domestic Relationships and Estate Law." She also was planner of and a moderator at the "Evening with the Surrogates" programs and the "Evening with the Chief Clerks" program presented by the Nassau County Bar Association.

MICHELE GARTNER

Michele Gartner is the Office of Court Administrator Special Counsel for Surrogate and Fiduciary Matters. She is responsible for the review and certification of training programs for Part 36 fiduciaries, for developing and presenting training programs regarding the Part 36 rules for judicial and nonjudicial court personnel, and for answering questions from the public and the courts regarding Part 36 interpretation and implementation. She serves as Counsel to the OCA Guardianship Advisory Committee, the OCA Surrogate's Court Advisory Committee, and the Administrative Board for the Offices of Public Administrators. She previously served as the Public Administrator of Nassau County. She received her JD from the University of Buffalo School of Law.



Joan Lensky Robert, Esq.
Kassoff Robert & Lerner, LLP
Rockville Center, NY

JOAN LENSKY ROBERT is a member of KASSOFF, ROBERT & LERNER LLP, a law firm in Rockville Centre, New York practicing exclusively in the areas of elder law, special needs planning and disability law. Ms. Robert is a graduate of Skidmore College, where she was a member of Periclean, the University of Pennsylvania, where she studied pursuant to a Ford Foundation Fellowship, and Touro College School of Law, summa cum laude, where she was valedictorian of the part time division. Prior to entering the practice of law, Ms. Robert taught French with the Valley Stream Central High School District.

Ms. Robert served as Chair of the New York State Bar Association Elder Law & Special Needs Section from 2003-2004 and serves as Co-Chair of its Special Needs Planning Committee. She founded and served as Chair of its Mentorship Committee. She received a Lifetime Achievement Award from the New York State Elder Law and Special Needs Section in January, 2014. She is a Fellow of the New York State Bar Association. She co-wrote the chapter on Special Needs Planning in the book Guardianship Practice in New York State and wrote the chapters on Medicaid liens and planning in Personal Injury Actions in New York published by the New York State Bar Association. She is an attorney member of the Guardianship Advisory Committee formed by the Office of Court Administration.

Ms. Robert has been named a Super Lawyer since 2013 and was chosen as a Top Lawyer in North America. Ms. Robert has been Board Certified as a Certified Elder Law Attorney (CELA) by the National Elder Law Foundation, as accredited by the ABA. In March, 2016, she was honored as one of the 50 Outstanding Women in the Law on Long Island.

Ms. Robert served as a member of the Board of Directors of the Nassau County Bar Association for 6 years, and is a past chair of its Elder Law/Social Services/Health Advocacy Committee. Ms. Robert served as Dean of the Nassau Academy of Law, and now is co-chair of the Senior Lawyers committee.



Michael P. Ryan, Esq.
Jaspan Schlesinger, LLP
Garden City, NY
mpryan@jaspanllp.com

Of Counsel, Trusts and Estates Department, 2015 - Present. Responsibilities include all phases of the practice of Trusts and Estates, emphasizing litigation, planning, administration, and mediation.

CULLEN AND DYKMAN, LLP

Partner and Chair of the Trusts and Estates Department. 2009-2014. Responsibilities include all phases of the practice of Trusts and Estates, including planning, administration, but emphasizing litigation. Responsible for the budget and supervision of a Department that employs a dozen attorneys and several paralegals, fiduciary accountants, secretaries. Also, liaison to firm's Banking Department and thereby advise them and firm's banking clients on issues related to trusts and estates.

UNIFIED COURT SYSTEM, STATE OF NEW YORK

Chief Clerk./Referee. 2006-2009; Court Attorney-Referee. 1981-2006, Nassau Surrogate's Court, Kings County Supreme Court. As Chief Clerk, responsibilities included all phases of the administrative, budgetary, and personnel operations of the Surrogate's Court. Responsibilities also include reporting requirements as the Court's Fiduciary Clerk. Also, as court attorney, responsible for an active case load of contested matters for research, drafting, negotiating, and hearings in Trusts and Estates, Medical Malpractice, et al.. Miscellaneous: President, New York State Surrogate's Law Association; Co-author of New York Office of Court Administration's Guardian ad Litem Manual.

NEW YORK LAW SCHOOL

Adjunct Professor of Law, LL.M. Program in Taxation. 2007-Present, Adjunct Professor of Law. 1990-2000. Responsibilities include teaching courses in Federal Estate and Gift Taxation, Trusts and Estates Litigation, and supervising independent research projects. Before that, courses in legal writing and appellate advocacy.



Ira Salzman, Esq.

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Ira Salzman is a partner in the law firm of Goldfarb Abrandt Salzman & Kutzin LLP. Ira is the former Chair of the Elder Law Committee of the New York County Lawyers' Association. He is currently a member of the Executive Committee of the Elder Law Section of the New York State Bar Association and the co-chair of its Guardianship Committee. He is the former co-chair of its Medicaid Committee and former co-chair of its Legislation committee.

Ira is a Fellow of the Brookdale Center on Aging. He is a member of the National Academy of Elder Law Attorneys and a former editor of its quarterly journal. He has written articles for the quarterly journal of the National Academy of Elder Law Attorneys, the Elder Law News (a publication of Little, Brown & Company), and for the Elder Law Attorney (published by the Elder Law Section of the New York State Bar Association). He is the co-author of the Guardianship Section of the New York Lawyer's Form Book (published by the New York State Bar Association). He is the author of the chapter on the responsibilities of the attorney for an alleged incapacitated person in Guardianship Practice In New York (published by the New York State Bar Association).

Ira has lectured at numerous Office of Court Administration certified training programs for Court Evaluators and Guardians in New York County and Bronx County. In 1999 he received the Leonard Lerner Award for pro bono service from the New York County Lawyers' Association. In 2012 he received an award from the Elder Law Section of the New York State Bar Association in recognition of his work drafting a New York version of the Uniform Adult Guardianship and Protective proceedings Jurisdiction Act.



David A. Smith, Esq.

David A. Smith, PLLC
500 Old Country Road | Suite 109
Garden City, NY 11530
(516) 294-3701

David A. Smith is an attorney with more than thirty-five years' experience in civil litigation. From 1979 to 1981, Mr. Smith was the Attorney In Charge of the New York State Attorney General's Plattsburgh Regional Office. In 1981, he opened the New York State Attorney General's first Nassau County Office, which he ran until 1987, when he entered private practice at Meyer, Suozzi, English & Klein.

In early 1996 Mr. Smith founded The Law Office of David A. Smith, PLLC which is located at 500 Old Country Road, Suite 109, Garden City, New York 11530, phone number (516) 294-3701.

Mr. Smith and his associates have a civil litigation, elder law and disabilities law practice in which they focus on representing individual clients in guardianship proceedings, contested guardianship litigation, estate planning, estate administration, contested estate and trust litigation, Medicaid planning, application and fair hearings, Mental Hygiene Law retention and outpatient treatment cases, "right to die" cases, and general civil litigation. Mr. Smith also serves as counsel to prominent members of the medical malpractice and personal injury bar in connection with the resolution of Medicaid liens and other claims against plaintiffs' settlement or judgment proceeds and, where necessary, coordinating proceedings for appointment of a guardian with the settlement proceedings .

Mr. Smith also has lectured often at Bar associations and law schools on these subjects, as well as the subject of contested Mental Hygiene Law Article 81 guardianship proceedings. He authored the "Contested Guardianship Proceedings" chapter in the New York State Bar Association treatise Guardianship Practice in New York State.

Mr. Smith has also litigated many "right to die" cases including New York's "Baby Jane Doe" case. For more than twenty-five years, he has lectured to professional and lay groups throughout the country concerning medical treatment decision-making for patients unable to make their own decisions. He also has appeared on numerous television programs, including the "Today Show", "NBC Dateline", CNN programs and Court TV programs to discuss these issues.



Lori A. Sullivan, Esq.
Seward & Kissel, LLP
New York, NY
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Lori A. Sullivan is a senior associate in the Trusts & Estates Group at Seward & Kissel. Ms. Sullivan practices in the areas of estate planning, estate administration and estate litigation, including contested probate proceedings, contested accounting proceedings, discovery proceedings, *inter vivos* trust litigation and will construction proceedings.

Prior to joining Seward & Kissel, Ms. Sullivan served as the Principal Law Clerk to the Honorable Edward W. McCarty III, Surrogate of Nassau County. Ms. Sullivan also served as a Court Attorney-Referee in the Nassau County Surrogate's Court under the Honorable John B. Riordan. As the Principal Law Clerk and a Court-Attorney Referee, Ms. Sullivan presided over non-jury hearings, rendered rulings at depositions, conferenced cases, mediated cases to settlement, assisted the Surrogate at trial and prepared decisions, orders, stipulations, trial memoranda and jury instructions. Ms. Sullivan also practiced at a number of well-respected trusts and estates firms, including Paul Weiss Rifkind Wharton & Garrison, where she was responsible for the administration of estates and trusts of high-net worth individuals.

Ms. Sullivan received her B.A., *summa cum laude*, from Adelphi University, where she received the Presidential Scholarship, and her J.D. from Hofstra University School of Law, where she was the recipient of the Fortunoff Scholarship and was named salutatorian of her law school class. While in law school, Ms. Sullivan was a member of the Law Review and served as a Notes and Comments Editor.

Ms. Sullivan is a member of the New York State Bar Association Trusts and Estates Section and served as a Vice-Chair of the Estate Planning Committee. Ms. Sullivan is a member of the Surrogate's Court Committee of the Nassau County Bar Association and served as a Co-Vice-Chair and Co-Chair of the Committee.

Danielle M. Visvader, Esq.
Abrams Fensterman, LLP
Lake Success, NY



Danielle M. Visvader has been with Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP for over fourteen (14) years. When she first joined the firm, Ms. Visvader predominantly practiced Elder Law and specifically concentrated on Article 81 guardianship proceedings for both individuals and institutional clients, including nursing homes and hospitals. She subsequently expanded her practice to include Mental Health Law, dealing with the retention and treatment of patients in psychiatric facilities. Ms. Visvader also made it a point to familiarize herself with the regulations governing institutional and community Medicaid and Medicaid planning in an effort to more effectively represent her Elder Law clients.

Additionally, Ms. Visvader handles residential real estate purchases and sales, which compliments her Guardianship Practice. She is well-versed in proceedings under Article 17 of the RPAPL and she routinely represents Court-appointed Guardians in order to obtain Court approval for the sale of property by the Guardian. Ms. Visvader is eligible for court appointments in various counties, including Nassau, Suffolk, and Westchester, and within New York City, as Guardian, Court Evaluator and Counsel for alleged incapacitated persons, pursuant to Part 36 of the Rules of the Chief Judge of the New York State Unified Court System. Ms. Visvader was selected to the 2013 - 2017 New York Rising Stars list. Each year, no more than 2.5% of the lawyers in the state are selected by the research team at Super Lawyers to receive this honor. Ms. Visvader also received Long Island Business News' Leadership in Law award in 2013.

Ms. Visvader received her B.A. from Fordham University and her J.D. from Hofstra University School of Law, where she served on the Journal of International Business and Law and the Moot Court Association. She is an active member in various professional and civic organizations such as the New York State Bar Association, where she is a member of the Elder Law section, and the Nassau County Bar Association, where she is the current Co-Chair of the Elder Law section.



Felice Wechsler, Esq.
Mental Hygiene Legal Service
New York, NY

FELICE WECHSLER is a Principal Attorney with the Mental Hygiene Legal Service, First Judicial Department, a New York state agency that advocates for persons with psychiatric, developmental and intellectual disabilities. A native New Yorker, she is a 1983 graduate of Colgate University, and a 1988 graduate of the University of Arizona College of Law, where she earned an Ares Fellowship and was a writer and editor on the Arizona Law Review. Her article, *Goldman v. Weinberger. Circumscribing the First Amendment Rights of Military Personnel*, was published in 1988.

Ms. Wechsler has been an attorney with MHLS since 1989, having worked in the field, where she served as an on-the-premises advocate for patients in several psychiatric facilities, and the departmental office, where she engaged in appellate practice, as well as research, writing and impact litigation. She is the primary author of the *Mental Health Legal Advocacy Handbook* published in 1999 by the Appellate Division, First Department. Since 1999, Ms. Wechsler has been charged with administering and supervising all aspects of MHLS's involvement in Article 81 guardianship proceedings in New York and Bronx Counties. In 2014 she assumed responsibility for overseeing the agency's representation of clients who live in residences licensed by the Office for People with Developmental Disability in New York County. In addition to her administrative duties, she maintains an active and ever-changing caseload.

Ms. Wechsler was a member of Justice Sheri Klein Heitler's Guardianship Advisory Committee and served on the Education Subcommittee; when the GAC was under the stewardship of Justice Jacqueline W. Silbermann, Ms. Wechsler was a member of the Model Guardianship and Judicial Training Subcommittees, serving as co-chairperson of the latter. She is also a member of the Nursing Home Task Force, a multidisciplinary group that meets to discuss and address issues surrounding nursing home residency. Since the creation of the Disability and Civil Rights Clinic at Brooklyn Law School, Ms. Wechsler has been invited to participate in its roundtable conferences.